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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/623,053

07/17/2003

Bruce D. Burrows

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3967

7590

06/08/2004

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EXAMINER

BLAU, STEPHEN LUTHER

ART UNIT

PAPER NUMBER

3711

DATE MAILED: 06/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/623,053

Applicant(s)

BURROWS, BRUCE D.

Examiner

Stephen L. Blau

Art Unit

3711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 May 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) 4,5,10-13 and 27-29 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,6-9,14-16 and 18-26 is/are rejected.
- 7) ☒ Claim(s) 17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/31/03, 12/17/03, 12/22/03
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. This application contains claims directed to the following patentably distinct species of the claimed invention:

Type of Quick Disconnect

- a. Species 1 (Fig. 4):
- b. Species 2 (Fig. 6):
- c. Species 3 (Fig. 7):
- b. Species 4 (Fig. 8):
- a. Species 5 (Fig. 9):
- b. Species 6 (Fig. 11):
- a. Species 7 (Fig. 13):
- b. Species 8 (Fig. 15):

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, it is uncertain what claims are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim

is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

2. During a telephone conversation with Mr. Stuart Lowry on 21 May 2003 a provisional election was made without traverse to prosecute the invention of species 1 (Figs. 3-4), claims 1-3, 6-9 and 14-26. Affirmation of this election must be made by applicant in replying to this Office action. Claims 4-5, 10-13 and 27-29 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 2-3 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. In claim 2 it is uncertain how an adapter insert would be on a hosel.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 7-8, 14-16, 18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Palmer in view of Desbiolles.

Palmer discloses an insert (43) having a flange (Fig. 9), and insert on a shaft (Fig. 9), a socket (44) with a thrust seat (Fig. 9) for slide-fit reception of an insert, an insert and socket including interengageable surfaces preventing relative rotation (45-

46), a first connection means being a compression nut (41) interconnecting an insert with a socket, a compression nut carried by an insert having internal threads and an internal thrust shoulder, and external threads formed on a socket (Fig. 9).

Palmer lacks a second connection means including a resilient anchor member interposed between an insert and a socket at a position spaced axially from a thrust flange and seat, an anchor member being at least partially compressed when a flange is seated upon a seat constraining an insert and socket against relative movement, and an anchor member axially spaced from a thrust flange by at least about 1 to 2 inches.

Desbiolles discloses a connection means including a resilient (Col. 5, Lns. 10-17) anchor member (84) interposed between an insert and a socket (Fig. 10), and an anchor member being at least partially compressed (Col. 5, Lns. 10-17) in order to affect the stress along the socket (Col. 5, Lns. 18-25). Desbiolles does not disclose the depth at which resilient block is located below the top of the socket but one skilled in the art would select a suitable distance in which 1 inch would be included. In view of the patent of Desbiolles it would have been obvious to modify the temporary connection of Palmer to have a connection means including a resilient anchor member interposed between an insert and a socket at a bottom of a socket with an anchor member being at least partially compressed and an anchor member axially spaced from a thrust flange by at least about 1 to 2 inches in order to affect the stress along the socket. As such a second connection means including a resilient anchor member would be at a position spaced axially from a thrust flange and seat and be at least partially compressed when

a flange is seated upon a seat constraining an insert and socket against axial and rotational relative movement.

7. Claims 2-3, 21, 23-24 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Palmer in view of Desbiolles as applied to claims 1, 7-8, 14-16, 18, and 20 above, and further in view of Walker.

Palmer lacks a socket being on a hosel. Walker discloses a quick release head (Title) with a socket being on a hosel (Fig. 2). In view of the patent of Walker it would have been obvious to have a socket being on a hosel to have a quick release head.

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Palmer in view of Desbiolles as applied to claims 1, 7-8, 14-16, 18, and 20 above, and further in view of Wharton.

Palmer lacks interengageable surfaces comprising an external spline segment on an insert and an internal spline segment within a socket. Wharton discloses interengageable surfaces comprising an external spline segment on an insert and an internal spline segment within a socket to assist in locating the insert in the socket (Col. 4, Lns. 1-9, Figs. 3-4). In view of the patent of Wharton it would have been obvious to modify the club of Palmer to have interengageable surfaces comprising an external spline segment on an insert and an internal spline segment within a socket in order to allow different orientations of a shaft secured to a head.

9. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Palmer in view of Desbiolles as applied to claims 1, 7-8, 14-16, 18 and 20 above, and further in view of Parsick.

Palmer lacks a backstop reaction member on an insert being engageable by a compression nut upon unthreading. Parsick discloses a backstop reaction member (48, Fig. 7) on an insert being engageable by a compression nut upon unthreading (Fig. 7). In view of the patent of Parsick it would have been obvious to modify the club of Palmer to have a backstop reaction member on an insert being engageable by a compression nut upon unthreading in order to prevent the nut from being lost when it is not threaded to the socket.

10. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Palmer in view of Desbiolles as applied to claims 1, 7-8, 14-16, 18, and 20 above, and further in view of Mattern.

Palmer lacks a reinforcement plug carried within an insert. Mattern discloses a reinforcement plug in the form of wood carried within an insert in the form of a shaft in order to yieldingly resist the bending of the shaft preventing collapse or kinking of the shaft under undue strain (Page 1, Lns. 37-50). In view of the patent of Mattern it would have been obvious to modify the club of Palmer to have an insert being a tubular shaft and reinforcement plug in the form of wood carried within an insert in order to utilize a tubular shaft for a club and in order to yieldingly resist the bending of the shaft preventing collapse or kinking of the shaft under undue strain.

11. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Palmer in view of Desbiolles and walker as applied to claims 2-3, 21, 23-24 and 26 above, and further in view of Wharton.

See paragraphs above for elements of structure previously rejected by Palmer in view of Wharton.

12. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Palmer in view of Desbiolles and walker as applied to claims 2-3, 21, 23-24 and 26 above, and further in view of Parsick.

See paragraphs above for elements of structure previously rejected by Palmer in view of Parsick.

Allowable Subject Matter

13. Claim 17 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. None of the prior art discloses or renders as obvious an anchor comprising a generally cylindrical bushing and an insert including a nose end defining a tip for press-fit reception into a bushing and a bearing shoulder for axially bearing against the bushing in addition to the other elements of structure claimed.

Conclusion

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steve Blau whose telephone number is (703) 308-2712. The examiner is available Monday through Friday from 8 a.m. to 4:30 p.m.. If the examiner is unavailable you can contact his supervisor Greg Vidovich whose telephone number is (703) 308-1513. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0858. (TC 3700 Official Fax 703-872-9306)

slb/ 3 June 2004


STEPHEN BLAU
PRIMARY EXAMINER